

02.12..2024
Ct. No. 01
SL No. 38
Cp
(allowed)

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (NDPS) No. 551 of 2024

In Re: - An application for bail under Section 483 of the B.N.S.S. 2023 in connection with New Jalpaiguri G.R. Police Station Case No. 39 of 2024 dated 23.05.2024, under Sections 8(c)/20(b)(ii)(c)/29 of the NDPS Act, 1985.

And

In the matter of: Nandita Das @ Nandita Kirtaniya

.....petitioner.

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Mr. S. Kumar
Ms. Sayantani Das

... for the petitioner

Mr. Nilay Chakraborty
Ms. Namrata Das

...for the State

1. Learned advocate representing the petitioner prays for bail on the ground of parity with another co-accused who has been released on bail. The petitioner is in custody for 43 days. The petitioner's name transpired from the statement of a co-accused, although she was not involved in the alleged offence.
2. Learned APP produces the case diary. Admittedly, the name of the petitioner transpired from the statement of a co-accused who is already on bail. The petitioner is the wife of a co-accused person.
3. Considering the role of the petitioner in the alleged offence and the materials in the case diary, we are inclined to release the petitioner on bail.

4. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.25,000/- with two sureties of equal amount each, one of whom must be local, to the satisfaction of learned Additional Sessions Judge (NDPS Court), 1st Court, Jalpaiguri, subject to the condition that the petitioner shall appear before the learned Trial Court on each and every date of hearing until further orders of the said court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future. The petitioner will not leave the jurisdiction of the trial court without permission.
5. In the event the petitioner fails to comply with the conditions as stated hereinabove, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
6. The application for bail is, thus, allowed and disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)